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Spies Selling New Data — Their Stories to Publishers

By DAN MORAIN, *Times Staff Writer*

SAN FRANCISCO—It took 17 years for agents of the FBI to catch Soviet spy John A. Walker Jr. The literary agents needed far less time to get him.

Even while a federal court jury here ponders the fate of the last member of Walker's spy ring to face trial, at least five books and a CBS television movie about Walker and his so-called First Family of Espionage are in the works.

The first book will be in the shops shortly after a verdict is reached in the current trial. Excerpts of another already have appeared in *Life* and the *New York Times Magazine*.

Walker, 48, a retired Navy chief warrant officer who pleaded guilty to espionage charges last October, has sold exclusive rights to his story for an undisclosed sum, according to lawyers and publishing industry sources. Walker's cooperation came in a joint deal that also delivered book rights from his son, Michael, 22, and brother, Arthur, 51, whom Walker recruited into his spy ring and who also have been convicted of espionage.

No Whitworth Book

The only non-family member of the ring, Jerry A. Whitworth, 46, a former Navy buddy of Walker, is on trial here now. His lawyer, James Larson, said Whitworth has no plans for a book.

At Whitworth's trial, Walker's daughter, Margaret, testified that her father told her he expected to make more than \$1 million in book royalties.

The specter of Walker profiting further from his espionage has prompted two congressmen to introduce legislation prohibiting convicted spies from collecting royalties on books and movies about their crimes. It is doubtful, however, that the law could be applied retroactively to Walker.

An attorney familiar with John Walker's case would not say how much money was involved in the deal, except to say "the figures that have been bandied about are pipe dreams."

Publishing sources and lawyers representing the Walkers, said John, Arthur and Michael Walker, are cooperating exclusively with Peter Early, a *Washington Post Magazine* writer who is on a year's leave to write his book, "The Keys to the Kingdom," to be published by Bantam Books Inc.

Details of the arrangement remain confidential. Early refused to comment, as did Stuart Applebaum, a vice president of Bantam Books.

"The competition makes one wary about being too forthcoming about the precise scope and nature

of the material Peter Early has . . . I can tell you that Peter Early's book is going to be drawn from exclusive material," Applebaum said in a telephone interview.

Early and another author, Howard Blum, also are involved in the CBS movie deal, tentatively entitled "The Walker Spy Case." Blum's book, "Family Secrets: The Story of the Walker Spy Case," is scheduled to come out in the fall and is being published by Simon & Schuster Inc. Portions already have been published in *Life* magazine and the *New York Times Magazine*. Blum said he has arrangements with some other Walker family members who have not been charged criminally and who are speaking to him exclusively. CBS bought the film rights to the Walker family story from Phoenix Entertainment Group of Los Angeles. Phoenix in turn bought film rights to the yet-to-be-completed Walker books by Blum and Early.

Network Payments

Jerry Eisenberg of Phoenix Entertainment said the authors and their agents made the arrangements with the various Walkers. Eisenberg said his company had "no direct talks" with any of the family members.

A CBS source involved in film production said the network paid no money directly to Walker.

The source noted that the Walker story was "aggressively agented," and that agreements with family members were reached "long before"

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Phoenix presented the package to CBS.

"It is a delivered deal. The project would not be a project without it [the arrangements with family members]," the CBS source said.

Other Walker family members made references to publishers in their testimony at Whitworth's trial here and at least three authors of Walker spy books attended parts of the trial.

Laura Walker Snyder, 26, one of John Walker's daughters, testified that she had a book in the works and said the writer was in the courtroom audience.

Another daughter, Margaret Walker, 27, testified that an author is writing her "life story." She also told jurors that after her father was arrested on May 20, 1985, he tried to enlist her aid in finding a publisher for his memoirs. She declined.

Barbara Walker, 48, ex-wife of the spy and the tipster who turned him in to the FBI, also has been trying to arrange a book deal.

Other Book Projects

Walker family members are not the only ones involved in book projects. The first of the Walker books, "Family Treason: The Walker Spy Case," by Jack Kneece, is due out soon. Kneece, who began work on the book soon after Walker's arrest, said his publisher, Stein & Day Publishers, was awaiting a verdict in Whitworth's case before releasing it. Jurors are in their second week of deliberations.

Former Naval Intelligence Service agent John Barron, a Readers Digest senior editor who gave expert testimony on the KGB as a prosecution witness at Whitworth's trial, said in a telephone

interview that he too has begun work on a book about the case.

Some publishing industry sources were skeptical that any of the planned books would have a market. Readers may get a feeling of *deja vu* from the books because the Walker spy story has been widely reported in newspapers and on television, said A. Richard Barber, associate editor of Inside Book Selling, a trade publication.

"A book or possibly two can find a market," Barber said. "After that, the market gets diluted."

A television movie, however, might draw interest, as would an overview book about spying, he suggested. At least one such book is planned—by co-authors Thomas B. Allen and Norman Polmar, who will devote a chapter to Walker, Polmar said.

Question of Retroactivity

Meanwhile, members of Congress who hope to stop spies from profiting from their activities doubt that any new law will apply retroactively to the Walkers. New statutes generally cannot invalidate existing contracts.

"I recognize that we would have some legal problems with that," Rep. George W. Gekas (R-Pa.), who introduced a bill last week, said in a telephone interview.

Sen. Ted Stevens (R-Alaska) on June 25 introduced an amendment to an anti-terrorism package of bills that also would bar spies from collecting royalties. The Reagan Administration supports the legislation.

A law already on the books bars federal convicts who physically injured their victims from reaping royalties from books or films about their crimes. Gekas' and Stevens' bills would extend the law to include convicted spies.

But while the proposed legislation might not affect John Walker, any royalties likely would go to the Internal Revenue Service anyway, said Walker's defense lawyer, Federal Public Defender Fred Warren Bennett of Baltimore.

The IRS is trying to recoup \$252,000 in taxes, plus interest and penalties, stemming from the roughly \$700,000 that Walker admitted collecting from the Soviets during his 17 years as a spy.

Families Could Profit

John Walker could earmark his share of the royalties for son Michael, who was sentenced to 25 years in prison but who will be eligible for parole in eight years. John Walker entered his guilty plea and agreed to testify against Whitworth in exchange for a lighter sentence for his son, lawyers have said. Arthur Walker has been given a life sentence, but his book profits could go to his family, sources familiar with the case said.

Stanley Reed, a Bethesda, Md., lawyer for Walker in a case challenging the IRS demand for back taxes, criticized the congressional legislation.

"We ought to be honest enough to address the fact that people other than spies commit illegal acts all the time and then sell their rights to their stories and obtain profits," Reed said.

But not all attorneys involved in the case believe the book and movie deals are the best of ideas.

"Do you think it is going to help him with the parole board, this pandering?" asked Charles G. Bernstein, who represents Michael Walker in the espionage case.

"It is tacky and in poor taste. The government ought to grab the money if there is any way to do it. I just think it is outrageous."